

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Perrin Babb; Debbie Babb; Wayne Elstrom;)	C/A: 3:10-1724- JFA
Sarah Elstrom; Alan Jackson; and Kathy)	
Jackson,)	
	Plaintiffs,) ORDER APPOINTING MEDIATOR
)
v.)	
)
Lee County Landfill SC, LLC,)	
)
	Defendant.)
)

This case was tried to a jury which returned a verdict for actual and punitive damages against the defendant totaling \$2,332,500.00. On June 6, 2012, this court heard, and took under advisement, the post-verdict motions by the defendants to set aside the verdict or, alternatively, order a new trial. At the conclusion of the hearing, the court suggested that the parties strongly consider mediating this dispute. Both parties were generally agreeable to some form of mediation and agreed to the court appointing a mediator for this case.

The court hereby appoints attorney Julianne Farnsworth as the court's mediator.

The parties shall make independent arrangements for payment of fees for the mediation. The costs of mediation are to be divided and borne equally by the parties unless otherwise agreed or ordered.

Each party and their counsel will be bound by the Local Rules regarding mediation and shall timely complete and return as directed by the mediator any information forms as

are furnished by the mediator.

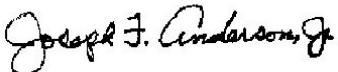
The named parties shall be present during the entire mediation process, and each party which is not a natural person must be represented by an executive officer with authority to negotiate a settlement. Local Rule 16.08(A). In addition, a representative from each and every insurance company that may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment, shall be physically present with actual authority to negotiate a settlement. *Id.*

Counsel and parties shall proceed in a good faith effort to try to resolve this case and shall agree upon a mediation date within 45 days from the date of this order. Local Rule 16.07(A). If an agreed date can not be scheduled within that time, then the mediator will select a date within the following thirty (30) days and the parties shall appear as directed by the mediator. In any event, mediation shall occur within 90 days from the date of this order.

In the event that there exists a conflict of interest between the appointed mediator and any of the named parties herein, the mediator is requested to promptly notify the court of same, and the court will appoint another mediator.

IT IS SO ORDERED.

June 7, 2012
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge